

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION**

Case No.: 23-CV-20382-GAYLES

DOLORES J. MATUTE,

Plaintiff,

v.

GUILLERMO R. RUZ,

Defendant.

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FINAL DEFAULT JUDGMENT

THIS CAUSE came before the Court on Plaintiff's Motion for Default Judgment (the "Motion"). [ECF No. 14]. The Court has reviewed the Motion and the record and is otherwise fully advised. For the reasons set forth below, the Motion is granted.

On January 31, 2023, Plaintiff filed a complaint against Defendant to recover unpaid overtime compensation and minimum wages pursuant to Fair Labor Standards Act, 29 U.S.C. §201 et. seq. ("the FLSA"). [ECF No. 1]. Despite proper service, Defendant failed to answer or otherwise appear in this action. On May 23, 2023, upon Plaintiff's motion, the Clerk of Court entered a default against Defendant. [ECF No. 10]. Plaintiff then timely moved for entry of final default judgment. [ECF No. 14].

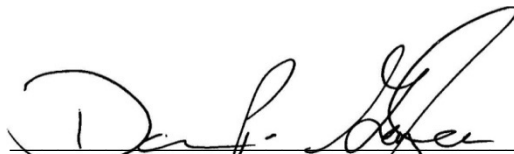
Pursuant to Federal Rule of Civil Procedure 55(b), the Court is authorized to enter final default judgment against a party who has failed to respond to a complaint. Before entering default judgment, a "district court must ensure that the well-pleaded allegations of the complaint . . . actually state a cause of action and that there is a substantive, sufficient basis in the pleadings for the particular relief sought." *Tyco Fire & Sec., LLC v. Alcocer*, 218 F. App'x 860, 863 (11th Cir.

2007). Upon review of Plaintiff's Motion and the record, the Court finds a sufficient basis to support Plaintiff's claims for unpaid overtime compensation and minimum wages under the FLSA. In addition, the Court finds that Plaintiff has established entitlement to \$46,334.61 in unpaid overtime compensation and minimum wages, \$46,334.61 in liquidated damages, \$6,940.00 in attorney's fees, and \$482.00 in costs.

Accordingly, it is **ORDERED** and **ADJUDGED** as follows:

1. Plaintiff's Motion for Default Judgment, [ECF No. 20], is **GRANTED**.
2. Final Default Judgment is entered in favor of Plaintiff Dolores J. Matute and against Defendant Guillermo R. Ruz as to all Counts in the Complaint.
3. Plaintiff shall recover from Defendant \$46,334.61 in unpaid overtime compensation and minimum wages, \$46,334.61 in liquidated damages, \$6,940.00 in attorney's fees, and \$482.00 in costs, for a total amount of \$100,091.22, plus interest at the statutory rate from the date of this judgment, for which sum let execution issue.

DONE AND ORDERED in Chambers at Miami, Florida, this Wednesday, November 08, 2023.


DARRIN P. GAYLES
UNITED STATES DISTRICT JUDGE